

05-14-01

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PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**NEW UTILITY  
PATENT APPLICATION  
TRANSMITTAL**(only for new nonprovisional applications under  
37 CFR 1.53(b))

Attorney Docket Number

20852-05133

First Named Inventor

Laurence J. Newell

Title

Channel gain control for an optical  
communications system utilizing  
frequency division multiplexing

Express Mail Label No.

EL482717391US

**APPLICATION ELEMENTS**

1. ☒ Fee Transmittal Form (in duplicate)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27
3. ☒ Specification Total Pages 36  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference(s) to Related Case(s)
  - Statement Regarding Fed sponsored R & D
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawing(s)
  - Detailed Description
  - Claim or Claims
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) Total Sheets 17
5. Oath or Declaration
  - a. ☐ New Declaration Total Pages     
☐ Executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

**ACCOMPANYING APPLICATION PARTS**

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ Certified Copy of Priority Document(s) (if foreign priority  
is claimed)
9. ☐ Power of Attorney or Authorization of Agent
10. ☐ 37 CFR 3.73(b) Statement
11. ☐ Preliminary Amendment
12. ☐ Information Disclosure Statement & PTO-1449  
☐ Copies of IDS Citation(s)
13. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form  
PTO/SB/35 or its equivalent
14. ☒ Return Postcard
15. ☐ \_\_\_\_\_
16. ☐ \_\_\_\_\_
17. ☐ \_\_\_\_\_

**ADDRESS TO:**Box Patent Application  
Commissioner for Patents  
Washington, D.C. 2023118. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment or in an  
Application Data Sheet under 37 CFR 1.76:☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No: 09/569,761Prior application information: Examiner: Unassigned Group/Art Unit: 2874Also a ☒ Continuation-in-part (CIP) of prior application No: 09/816,242Prior application information: Examiner: Unassigned Group/Art Unit: UnassignedWhich is a ☒ Continuation-in-part (CIP) of prior application No: 09/571,349Prior application information: Examiner: Unassigned Group/Art Unit: 2733For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under  
Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The  
incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS**☒ Customer Number and Bar Code  
Label

00758

Name (Print/Type)

Michael W. Farn

Registration No. (Attorney/Agent)

41,015

Signature

Date

May 11, 2001

jc962 U.S. PTO  
05/11/01

05/11/01

09/854153

10/11/50  
05/11/01

0002/PTO(modified) Rev. 10/2000	U.S. Department of Commerce Patent and Trademark Office	<b>Complete if Known</b>
<b>FEE TRANSMITTAL</b>  <b>TOTAL AMOUNT OF PAYMENT</b> Subtotal (1) + Subtotal (2) + Subtotal (3) = <b>(\$355)</b>		Application Number: Unassigned
		Filing Date: May 11, 2001
		First Named Inventor: Laurence J. Newell
		Group Art Unit: Unassigned
		Examiner Name: Unassigned
		Attorney Docket Number: 20852-05133

<b>METHOD OF PAYMENT</b>	<b>FEE CALCULATION (continued)</b>
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**1. The Commissioner is hereby authorized to:**

☐ Charge the indicated fees to the below mentioned deposit account.

☒ Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. †

☒ Applicant claims small entity status  
See 37 CFR 1.27

Deposit Account Number: 19-2555  
Deposit Account Name: FENWICK & WEST LLP

A Duplicate Copy of this authorization is attached

**2. ☒ Payment Enclosed:**

☒ Check ☐ Credit Card ☐ Other

**FEE CALCULATION (fees effective 10/01/2000)**

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Description	Fee Due
101/\$710	201/\$355	Utility Filing	355
106/\$320	206/\$160	Design Filing	
108/\$710	208/\$355	Reissue	
114/\$150	214/\$75	Provisional Filing	
<b>SUBTOTAL (1)</b>			<b>(\$355)</b>

**2. CLAIMS**

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description
103/\$18	203/\$9	Claims in excess of 20
102/\$80	202/\$40	Independent claims in excess of 3
104/\$270	204/\$135	Multiple dependent claim
109/\$80	209/\$40	Reissue independent claims over original patent
110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
105/\$130	205/\$65	Surcharge - late filing fee or oath	
127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet	
147/\$2,520	147/\$2,520	For filing a request for reexamination	
115/\$110	215/\$55	Extension for response within first month†	
116/\$390	216/\$195	Extension for response within second month†	
117/\$890	217/\$445	Extension for response within third month†	
118/\$1,390	218/\$695	Extension for response within fourth month†	
128/\$1,890	228/\$945	Extension for response within fifth month†	
119/\$310	219/\$155	Notice of Appeal	
141/\$1,240	241/\$620	Petition to revive unintentionally abandoned application	
142/\$1,240	242/\$620	Utility Issue Fee (Or Reissue)	
143/\$440	243/\$220	Design Issue Fee	
122/\$130	122/\$130	Petitions to the Commissioner	
126/\$180	126/\$180	Submission of Information Disclosure Statement	
179/\$710	279/\$355	Request for Continued Examination (RCE)	
581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	
146/\$710	246/\$355	Filing a submission after final rejection (37 CFR 1.129(a))	
149/\$710	249/\$355	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify):			
Other fee (specify):			
<b>SUBTOTAL (3)</b>			<b>(\$)-0-</b>

For	(Col. 1) No. of Existing Claims	(Col. 2) Highest No. Previously Paid For	(Col. 3) Extra**	Fee	Fee Due
TOTAL	12	20 or 0	0	9	0
INDEP	2	3 or 0	0	40	0
[ ] First presentation of multiple dependent claim					

\* Subtract the greater number of Col. 2

\*\* If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

**SUBTOTAL (2) (\$)-0-**

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Typed or Printed Name	Michael W. Farn	Reg. Number	41,015
Signature		Date	May 11, 2001

† Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby